

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

Civil Action No. 12-cv-00487-MOC-DCK

DAVID HOLMES, HERTA S. THEBERGE,
MARGUERITE K. POTTER, and the
MARGUERITE K. POTTER REVOCABLE
TRUST, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

BANK OF AMERICA, N.A., in its own
capacity and as successor by merger to
BAC Home Loans Servicing, L.P., SEATTLE
SPECIALTY INSURANCE SERVICES,
INC., in its own capacity and as successor in
interest to COUNTRYWIDE INSURANCE
SERVICES, INC., ILLINOIS UNION
INSURANCE COMPANY, and CERTAIN
UNDERWRITERS AT LLOYD'S LONDON,
including all underwriters who underwrote
force-placed wind insurance policies for Bank
of America, as the insured during the
applicable limitations period and LLOYD'S
UNDERWRITERS AT, LONDON,

Defendants.

**JOINT MOTION TO AMEND THE BRIEFING SCHEDULE ON SEATTLE
SPECIALTY'S MOTION TO DISMISS**

Seattle Specialty Insurance Services, Inc. ("Seattle Specialty") filed a Motion to Dismiss Plaintiffs' Amended Complaint on December 17, 2012 (ECF No. 70). The parties, by and through undersigned counsel, respectfully request that this Court amend the briefing schedule to permit Plaintiffs to file their Opposition to Seattle Specialty's Motion to Dismiss on or before January 31, 2013 and to permit Seattle Specialty to file its Reply on or before February 21, 2013.

Extending the briefing schedule to permit Plaintiffs to file their Opposition on or before January 31, 2013 will accommodate the holiday schedule and provide Plaintiffs with adequate time to respond to issues raised in Seattle Specialty's Motion to Dismiss. Extending Seattle Specialty's reply deadline will allow Seattle Specialty adequate time to respond to Plaintiffs' opposition brief.

WHEREFORE, the parties respectfully request that this Court extend the time during which Plaintiffs may file their Opposition brief to January 31, 2013 and for Seattle Specialty to reply to February 21, 2013.

Dated: December 18, 2012

/s/ Sarah W. Steenhoek

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Sarah W. Steenhoek, certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on December 18, 2012.

Dated: December 18, 2012

/s/ Sarah W. Steenhoek